

The Honorable John H. Chun
United States District Court Judge

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

Bianey GARCIA PEREZ, Maria
MARTINEZ CASTRO, J.M.Z., Alexander
MARTINEZ HERNANDEZ, on behalf of
themselves as individuals and on behalf of
others similarly situated,

Plaintiffs,

v.

U.S. CITIZENSHIP AND IMMIGRATION
SERVICES; Ur JADDOU, Director, U.S.
Citizenship and Immigration Services;
EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW; David NEAL,
Director, Executive Office for Immigration
Review,

Defendants.

Case No. 2:22-cv-00806-JHC

**JOINT STATUS REPORT &
STIPULATION**

Note on Calendar: June 29, 2023

1 **PARTIES' JOINT STATUS REPORT AND STIPULATION**

2 Plaintiffs Bianey Garcia Perez; Maria Martinez Castro; J.M.Z.; Alexander Martinez
3 Hernandez; and Defendants U.S. Citizenship and Immigration Services ("USCIS"); Ur Jaddou,
4 Director, USCIS; Executive Office for Immigration Review ("EOIR"); and David L. Neal,
5 Director, EOIR, hereby stipulate to an additional 45-day stay of proceedings as the parties continue
6 to draft a settlement agreement. The parties have reached an agreement in principle as to all claims
7 and parties and are working toward finalizing the terms of the settlement agreement.

8 Plaintiffs and Defendants have previously jointly stipulated to several stays. On June 27,
9 2022, this Court issued an order granting a 60-day stay and ordering the parties to submit a joint
10 status report on August 29, 2022. Plaintiffs and Defendants then held a settlement conference on
11 August 3, 2022, where they discussed the claims for the putative classes and agreed that there was
12 potential for resolving many, if not all of the claims without further litigation. Defendants
13 requested Plaintiffs follow up with a written framework providing general parameters for resolving
14 the claims. Plaintiffs submitted a document with a proposed settlement framework to Defendants
15 on August 12, 2022.

16 On August 29, 2022, the parties submitted a joint status report and stipulation detailing
17 their ongoing efforts to reach settlement in this case and requested a 90-day stay to further engage
18 in settlement discussions and conserve judicial resources, as well as those of the parties. On August
19 30, 2022, this Court issued an order granting the 90-day stay and ordering the parties to submit a
20 joint status report on November 28, 2022.

21 On October 14, 2022, Defendants provided written responses to Plaintiffs' proposed
22 settlement framework. On October 26, 2022, the parties held a settlement conference where they
23 discussed Defendants' responses, potential terms for settlement, and the possibility of resolving
24 this matter without further litigation. On November 23, 2022, Defendants also requested that
25 Plaintiffs provide written feedback to Defendants' October 26, 2022, settlement responses.
26 Plaintiffs provided their written feedback on November 29, 2022.

1 On November 28, 2022, the parties filed a third stipulated motion to stay this case,
2 requesting an additional stay of 75 days. The Court issued an order granting the 75-day stay and
3 ordered the parties to submit a joint status report on February 13, 2023.

4 Subsequently, on February 6, 2023, Defendants responded to Plaintiffs with further
5 proposals on how to resolve the remaining disputes between the parties. The parties then held a
6 settlement conference on February 7, 2023, where they discussed the settlement framework and
7 the disputed matters. On February 13, 2023, the parties filed a fourth stipulated motion to stay this
8 case, and this Court issued an order granting a 60-day stay and ordered the parties to submit a joint
9 status report on April 14, 2023.

10 On April 14, 2023, the parties requested an additional 30-day stay, in which Defendants
11 agreed to provide a response to Plaintiffs regarding certain settlement matters they committed to
12 address at the February 7, 2023, settlement conference by May 5, 2023. On that date, Defendants
13 provided their responses to Plaintiffs. Following that response, the parties reached an agreement
14 in principle with respect to the EOIR Defendants, while one issue remained outstanding as to the
15 USCIS Defendants. The parties requested an additional 45-day stay to continue negotiations with
16 respect to USCIS and draft a settlement agreement. The Court granted that motion and stayed this
17 case until June 29, 2023.

18 Since that order, the parties have continued to make progress. The parties reached an
19 agreement in principle regarding the USCIS Defendants on May 24, 2023. On May 26, 2023, based
20 on the parties' agreements, Plaintiffs sent a draft settlement agreement to Defendants for their
21 review. Since then, Defendants have been reviewing the draft settlement agreement. Defendants
22 will provide any edits or feedback on the draft settlement agreement to Plaintiffs by July 27, 2023.
23 Defendants' review has taken longer than anticipated due to the unexpected deployment of USCIS
24 personnel assigned to this case to other matters.

25 In light of these developments, the parties have agreed to stipulate to a 45-day stay of
26 Defendants' briefing deadlines. Good cause continues to exist for the stipulation because the

complexity of the issues in this case requires additional time and there continues to be a meaningful opportunity to reach a settlement that would conserve judicial resources, as well as those of the parties. The parties will file a final settlement agreement with the Court or seek a further extension, if necessary, by August 14, 2023.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated this 29th day of June, 2023.

For the Plaintiffs:

/s/ Matt Adams

Matt Adams

/s/ Aaron Korthuis

Aaron Korthuis

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated this 29th day of June.



The Honorable John H. Chun
UNITED STATES DISTRICT JUDGE